

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
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VOLUME 1. Part 16. Pp. 139-146.

OPINION 7

On the interpretation of the expression "n.g., n.sp." under Article 30(a) of the International Code, as respects generic names published on, or before, 31st December 1930

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price one shilling and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION OF THE COMMISSION AT THE TIME OF THE ADOPTION OF *OPINION 7*

The Officers of the Commission

President : Professor Raphael Blanchard (France).
Executive Secretary : Dr. Charles Wardell Stiles (U.S.A.).
Recording Secretary : Professor F. C. von Maehrenthal (Germany).

The Members of the Commission

Class 1910

Monsieur le Professeur Raphael BLANCHARD (France) (*President of the Commission*).
Monsieur le Professeur L. JOUBIN (France).
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Dr. Leonhard STEJNEGER (U.S.A.).



OPINION 7.

ON THE INTERPRETATION OF THE EXPRESSION "N.G., N.SP." UNDER ARTICLE 30(a) OF THE INTERNATIONAL CODE, AS RESPECTS GENERIC NAMES PUBLISHED ON, OR BEFORE, 31ST DECEMBER 1930.

SUMMARY.—In the case of generic names published on, or before, 31st December 1930,¹ the expression "n.g., n.sp." used in publication of a new genus for which no other species is otherwise designated as genotype, is to be accepted as designation under Article 30(a).

I.—DISCUSSION OF THE CASE.

If an author publishes a new genus and marks one of the species "n.g., n.sp.", but does not otherwise specifically designate the genotype, such citation ("n.g., n.sp.") is to be construed under Article 30(a) as "type by original designation." Examples:—

- (a) *Diorchis* Clerc,² 1903, *Rev. suisse. Zool.* **11** : 281
(1) *Diorchis acuminata* n.g., n.sp.
(2) *Diorchis inflata* (Rudolphi).
(b) *Platynosomum* Looss,² 1907, *Zbl. Bakt.* **43** (6) : 607
Platynosomum (n.g.) *semifuscum* (n.sp.).

2. This method of designating the type species does not, in the opinion of the Commission, represent the best method to adopt; on the contrary, the Commission urges³ all authors to state definitely that a certain species is type, regardless of the number of species placed in the genus.

3. *Opinion* written by Stiles.

4. *Opinion* concurred in by eight (8) Commissioners: Blanchard; Graff; Jentink; Jordan;⁴ Monticelli; Stejneger; Stiles;⁵ Wright.

¹ See NOTE 2 below (pp. 143-144).

² The genus *Diorchis* Clerc belongs to the Class Cestoidea; the genus *Platynosomum* Looss to the Class Trematoda.

³ As from 1st January 1931, this sentence is no longer applicable, since every generic name published subsequent to 31st December 1930 must, in order to be available under Article 25(c) of the International Code, be accompanied by "a definite unambiguous designation of the type species." See NOTE 2 below (pp. 143-144).

⁴ The Commissioner here referred to is the late Commissioner David Starr Jordan not Commissioner Karl Jordan, the present President of the Commission, who at the time of the adoption of *Opinion 7* was not a member of the Commission.

⁵ See paragraph 10 below.

5. *Opinion* dissented from by three (3) Commissioners: Hoyle; ⁶ Maehrenthal; ⁷ Schulze.

6. Not voting, two (2) Commissioners: Osborn, Studer.

7. Vote both ways, two (2) Commissioners: ⁸ Dautzenberg, Joubin.

II.—SUPPLEMENTARY NOTE BY INDIVIDUAL COMMISSIONERS.

8. Hoyle says:—

I do not think that this constitutes the fixation of a type at all and I shall not hold that such a statement as that regarding *Diorchis* above invalidated any subsequent selection of a type by a later author.

9. Maehrenthal and Schulze say:—

Ein neues Prinzip, dessen Zweckmässigkeit nicht einzusehen ist. Die Anwendung einer solchen neuen Bestimmung hätte notwendige Konsequenzen: z.b. wenn nicht *eine*, sondern mehrere "*n.sp.*" angeführt werden, wenn das gen. nicht als "*nov.*," die spec. nicht als "*nov.*" ausdrücklich bezeichnet, aber als solche erkennbar sind, u.s.w.⁹

10. Remark by Stiles:—

The cases mentioned by Maehrenthal and Schulze do not come under this *Opinion* which definitely states that *one* of the species is *marked* as "*n.g., n.sp.*"

Editorial Notes by Francis Hemming, Secretary to the International Commission on Zoological Nomenclature.

NOTE I.

Historical particulars.

This *Opinion* was published in July 1910 (*Smithsonian Publication* 1938 : 10), when the Smithsonian Institution first undertook to publish the *Opinions* rendered by the International Commission on Zoological Nomenclature.

⁶ See paragraph 8 below.

⁷ See paragraph 9 below.

⁸ The ballot paper distributed to each Commissioner for use when voting on an *Opinion* contained two blank spaces for the signature of the Commissioner concerned, the signature to be placed in one space if the Commissioner concurred in the proposed *Opinion* and in the other space, if he did not. In the case here referred to, the Commissioners concerned appear to have failed to understand the form of the ballot paper and therefore to have added their signatures in each of the blank spaces provided.

⁹ In this *Opinion*, when published in 1910, the following translation was given of the note by Commissioners Maehrenthal and Schulze:—

A new principle, the expediency of which is not clear. The application of such a new provision would have necessary consequences. For instance, if not one, but several "*n.sp.*" were mentioned; if the genus and the species are not expressly designated as "*new*," but are recognized as such.

2. This *Opinion* is undated, but it cannot have been adopted earlier than on some date in 1908 (the earliest date on which the preceding *Opinion* (*Opinion* 6) can have been adopted)¹⁰ or later than some date in the first half of 1910, since (as shown above) it was published in July of that year.

3. For the reasons explained in paragraph 4 of NOTE 1 to *Opinion* 6,¹¹ no manuscript or other unpublished documents relating to this *Opinion* are preserved in the archives of the International Commission on Zoological Nomenclature.

NOTE 2.

On the limitation imposed on Opinion 7 by the amendment of Article 25 of the International Code adopted by the Tenth International Congress of Zoology at Budapest in 1927.

In 1927, the International Commission submitted a recommendation to the Tenth International Congress of Zoology at its meeting held at Budapest that Article 25 of the International Code should be amended by the addition of the following new proviso (proviso (c)) :—

- (c) that no generic name nor specific name published after 31st December 1930, shall have any status of availability (hence also of validity) under the rules, unless and until it is published, either :—
- (1) with a summary of characters (*seu* diagnosis; *seu* definition; *seu* condensed description) which differentiate or distinguish the genus or species from other genera or species; or
 - (2) with a definite bibliographic reference¹² to such summary of characters (*seu* diagnosis; *seu* definition; *seu* condensed description); and further
 - (3) in the case of a generic name, with the definite unambiguous designation of the type species (*seu* genotype; *seu* autogenotype; *seu* orthotype).

2. The above addition to the Code was approved by the Tenth International Congress of Zoology and accordingly came into operation as from midnight 31st December 1930/1st January 1931 (Greenwich Mean Time).

3. As pointed out in NOTE 3 to *Opinion* 1,¹³ the effect of the adoption of the foregoing amendment to Article 25 of the Code

¹⁰ See paragraph 2 of NOTE 1 to *Opinion* 6 (p. 132 above).

¹¹ See paragraph 4 of NOTE 1 to *Opinion* 6 (page 132 above).

¹² For an explanation of the expression "definite bibliographic reference" as here used in Article 25, see *Opinion* 138 (1942, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 29-34).

¹³ See pp. 76-78 above.

was to impose a limitation upon the application of *Opinions* previously rendered by the International Commission, interpreting Article 25 of the Code. Every such *Opinion* remained valid and binding, as respects names published on or before 31st December 1930 (the last day prior to the coming into force of the Budapest amendment to Article 25), but, in so far as any such *Opinion* contained an interpretation of that Article at variance with the amended provisions adopted at Budapest, such *Opinion* ceased to be applicable in respect of any name published on or after 1st January 1931 (the date on which the Budapest provisions became operative).

4. The provision (quoted in paragraph 1 above) contained in paragraph (2) of proviso (c) added to Article 25 at Budapest requires that when a new generic name is published, it must, in order to be available (here valid), be accompanied by "the definite unambiguous designation of the type species." This provision is much more rigorous than the provision contained in *Opinion 7*. It follows therefore (as explained in paragraph 3 above) that *Opinion 7* remains valid and binding as respects generic names published in the period from 1st January 1758¹⁴ up to, and including, 31st December 1930, but it is no longer applicable as respects any generic name published after that date. It is for this reason that the words "as respects generic names published on, or before, 31st December 1930" have been added at the end of the title of this *Opinion* and the words "In the case of generic names published on, or before, 31st December 1930" have been inserted at the beginning of the "summary."

FRANCIS HEMMING.

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on Zoological Nomenclature*

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at the British Museum (Natural History),
Cromwell Road, LONDON, S.W.7.
20th May, 1944.

¹⁴ See NOTE 3 to *Opinion 3* (pp. 98-100 above) for an explanation of 1st January 1758 being taken as the starting date for zoological nomenclature.

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of:—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944. Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely:—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-16 (containing *Declarations* 1-9 and *Opinions* 1-7) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-29, containing *Declarations* 10-12 and *Opinions* 134-159, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-4 (containing *Opinions* 182-185) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."